

WEBB COUNTY COMMISSIONERS COURT
Minutes of the
REGULAR MEETING
SEPTEMBER 23, 2002
9:00 A.M.

Revised Minutes to reflect corrections
approved during the October 15, 2002
Commissioners Courts meeting

All corrections will be will appear on motion, in parenthesis, and in bold print.

01.02-09-265. CALL TO ORDER JUDGE MERCURIO MARTINEZ, JR.
Commissioner Jerry Vasquez – present
Commissioner Judith Gutierrez – present
Commissioner Felix Velasquez – present
Commissioner Mike Urdiales – present
Judge Mercurio Martinez, Jr., Chairman, present
County Clerk Henry Flores, present

INVOCATION - Webb County Tax Assessor/ Collector
Patricia Barrera

PLEDGE OF ALLEGIANCE -Mr. Eloy Ramirez, Jr.

“SPECIAL PRESENTATIONS”

Commissioners Court was presented with P.O.W. flag by the
United South J.R.O.T.C. Color Guard and the First Chair
was designated for P.O.W. and M.I.A.

Mr. Jesus Cantu from the Veterans Administration Office introduced Mr. Richard Rossell brother of Hershel Rossell P.O.W. whom is still missing in action. Mr. Rossell is speaking on behalf of P.O.W's, M.I.A.'s and all veterans.

Mr. Rossell asked Mr. J. Cantu to organize a parade for the Korean War Veterans.

Mr. Juan Sanchez executive director of Border Region M.H.M.R. presented –
Robert Vela – Chairman of MHMR Board
Rosalinda Gonzalez - owner of “Los Pepitos Day Care”
Dan Pernell - Administrator
Fernando Ortiz – Narrator

Mr. Fernando Ortiz addressed the Court and gave a detailed presentation on the Border Region MHMR “Supported Employment Program”

Roberto Vela addressed the Court in behalf of his Daughter, Gina a special needs person who has benefited from this program and is now a part-time employee of “Los Pepitos Day Care Center”.

Also, Mrs. Rosalinda Gonzalez Owner of “Los Pepitos Day Care Center” addressed the court to express her support of the “Supported Employment Program”. As a participant, she has found the program to be highly successful and encourages the County to participate.

Commissioner Gutierrez, Commissioner Vasquez and Judge Martinez expressed their support for the “Supported Employment Program”.

02.02-09-266.

APPROVAL OF MINUTES

Carlos Villarreal, County Administrator, addressed the Court to inform that after carefully reviewing the Commissioners Court Meeting of September 09, 2002, the minutes reflected all motions made and carried.

Although some Cmr. voiced concerns over items they believed were motioned on, Mr. Villarreal assured them, that all motions carried were accounted for in the minutes. He continued by clarifying that some items were discussed in length during the Public Hearing, but that no action was taken on them.

Mr. Jose Gutierrez from Road and Bridge addressed the Court seeking clarification on items he had presented at the September 09, 2002 Public Hearing.

Cmr. Vasquez informed Mr. Gutierrez that any item discussed in the Public hearing could not be motioned on. Therefore, his items had not been motioned on.

Cmr. Velasquez questioned the wording of item 06. 02-09-260-c-1. the word possibility should be changed to reflect the city agreeing to match the County's contribution.

Minutes were approved with proper corrections.

Cmr. Gutierrez moved and Cmr. Vasquez seconded the motion. All voted in favor.

Judge Martinez called for item number 05 on the agenda to be moved up. (Please see page 6)

Cmr. Gutierrez moved and Cmr. Vasquez seconded the Motion **(to move up item number 05)**. All voted aye.

03.02-09-267. COMMUNICATIONS

Tomas Rodriguez Jr. P.E., County Engineer, addressed the Court to present public information related to Webb County's Presidential Designation as a "Major Disaster" as a result of the Flooding of June 29, 2002, and continuing. Mr. Rodriguez explained that Webb County is "Contiguous to a declared county" therefore becoming eligible for low-interest emergency loans.

Cmr. Gutierrez asked Mr. Rodriguez to submit a letter to declaring Webb County as a "Disaster County" due to the resent flooding in the rural areas and Colonias of the County.

Cmr. Gutierrez, went on to explain how of the flooding had damaged most county roads and how the rural community has been greatly affected.

Mr. Rodriguez agreed with Cmr. Gutierrez and is willing to submit the letter declaring Webb County as a "Disaster County".

Judge Martinez, reports that inspection from The **TEXAS COMMISSION ON JAIL STANDARDS** has been completed and all 32 beds on the 1st floor of the jail are ready for occupancy.

Judge Martinez, also informed on the Fire and EMS runs for the month of August done by the City of Laredo Fire Department.

Legal council for Webb County, Homero Ramirez, addressed the Court in reference to the salary grievances requested by Constable Raul Hinojosa and Constable Tino Juarez.

Alonso Ramos, Attorney for Raul Hinojosa addressed the Court to ask why “Due Process” had not been met.

Suggestions to resolve the matter were given by Homero Ramirez, County Attorney.

After discussion, the Court agreed to try to assemble the nine-member salary grievance committee by Friday September 26, 2002.

Henry Flores, County Clerk, addressed the Court stating that he believed there was a very good possibility of assembling the committee.

County Attorney, Homero Ramirez, reminded the Court that this was not an item on the agenda and no motion could be taken at this time.

04.02-09-268.

APPROVAL OF BILLS, PAYROLL AND MONTHLY REPORTS

Cmr. Gutierrez moved and Cmr. Vasquez seconded the motion to approve bills and payroll. All voted in favor.

Cmr. Gutierrez moved and Cmr. Velasquez seconded the motion to have Leo Flores report to the Court on his recommendations for line item transfer from another department.

Cmr. Velasquez also requested Mr. Leo Flores, County Auditor, to make a list of all departments that exceeded their projected budget and needed a line-item transfer from another department.

Jorge Flores, Treasurer, presented a bill from Brooks County in the sum of \$28,000.00.

Leo Flores, County Auditor, explains that Brooks County has made a minimal amount of money and he will provide the Court with a detailed coast analyses report.

Jorge Flores, County Treasurer, also made a report on the Sales tax for the month of August.

Cmr. Gutierrez moved and Cmr. Velasquez seconded the motion to acknowledge that the report has been presented.

05.02-09-269. APPROVAL OF RESOLUTIONS/PROCLAMATIONS

**1. Proclamation El Aguila Rural Transportation
“Communities in Motion”**

Ms. Cynthia Mares, Community Action Agency Director, addressed the Court and read the Proclamation declaring October 03,2002 as “Communities in Motion” day.

Cmr. Gutierrez moved and Cmr. Urdiales seconded the motion **(approve the proclamation)**. All voted in favor.

06.02-09-270. COURT TO DISCUSS AND ACT ON THE FOLLOWING:

a. **ELECTIONS ADMINISTRATION**

- 1) **ACTION TO APPROVE RESOLUTION AND ESTABLISHING ELECTION DAY POLLING PLACES FOR THE NOVEMBER 5, 2002 GENERAL ELECTION WITHIN WEBB COUNTY, TEXAS, IN ACCORDANCE WITH CHAPTER 43, TEXAS ELECTION CODE.**

Cmr. Gutierrez moved and Cmr. Velasquez seconded the Motion **(to approve the resolution as presented)**.
All voted in favor.

- 2) **ACTION TO APPROVE RESOLUTION AUTHORIZING AND ESTABLISHING A CENTRAL COUNTING STATION, APPOINTMENT OF THE CENTRAL COUNTING STATION PRESIDING JUDGE, MANAGER, TABULATION SUPERVISOR, AND THEIR RESPECTIVE SALARIES FOR THE NOVEMBER 5, 2002 GENERAL ELECTION PURSUANT TO SECTION 127, TEXAS ELECTION CODE.**

Cmr. Gutierrez moved and Cmr. Urdiales seconded the motion **(to approve the resolution)**, adding clause/amendment that:

- 1) Barriers are set up during a recount to avoid non-verbal communication among the recount staff.
- 2) That the change in location for the "Central Counting Station" be posted. All voted in favor.

b. **TAX ASSESSOR COLLECTOR**

ACTION TO APPROVE REFUND:

**Royal Joint Venture
Reason: Paid in Error
Total Refund: \$2,133.93**

Cmr. Gutierrez moved and Cmr. Vasquez seconded the motion **(approve item as presented)**. All voted in favor.

c. **PUBLIC DEFENDER**

ACTION TO APPROVE LINE-ITEM TRANSFER:

**FROM: ACCT# 001-1102
6010 (books/sub.) \$1,100**

**TO: ACT# 001-1102
5601 (adm.travel) \$1,100**

Cmr. Gutierrez moved and Cmr. Vasquez seconded the motion **(to approve line item transfer)**. All voted in favor.

d. **COMMUNITY ACTION AGENCY**

- 1) **ACTION TO AUTHORIZE AND FILL SLOT
(center aide part time) AT \$8.25 AN HOUR
EFFECTIVE SEPTEMBER 23, 2002 (Funding from
grant match approved in budget process for Fund
902 Emergency Food and Shelter).**

Cmr. Vasquez moved and Cmr. Gutierrez seconded the motion **(approve item as submitted)**. All voted in favor.

**2) ACTION TO MODIFY THE FOLLOWING SLOTS
EFFECTIVE SEPTEMBER 23, 2002 (Funding from
Emergency Food and Shelter, and Community
Services Block Grant - No Impact on the General
Fund).**

Cmr. Gutierrez moved and Cmr. Velasquez seconded the motion **(to approve item as submitted).**

All voted in favor.

SLOT	FROM	TO
#1238 Center Aide	\$8.00/ hr. Full time	8.25/ hr. Part- time
#1903 Center Aide	6.50/ hr. Part-time	8.25/hr. Part- time
#1160 Center Aide	6.40/hr. Part-time	8.25/hr. Part- time
#1850 Soc. Service Clerk	7.00/hr Part- Time	8.25 /hr. Part- time
#1851 Soc. Service Clerk	6.40/hr. Part-time	8.25/hr. Part- time
#1848 Driver/ Custodian	7.50/hr. Full time	8.25/hr. Full Time

- 3) **ACTION TO FILL SLOT# 1129 (bus driver full-time) AT \$8.75 AN HOUR EFFECTIVE SEPTEMBER 23, 2002 (Funding from rural Transportation Program - No Impact on the General Fund).**

Cmr. Gutierrez moved and Cmr. Vasquez seconded the motion **(to approve item as submitted)**.

All voted in favor.

- 4) **ACTION TO ACCEPT TXDOT GRANT (5310 - Elderly/Disabled Transportation Grant) IN THE AMOUNT OF \$58,000 AND PURCHASE ONE (1) TYPE III BUS (TXDOT handled the bidding process, and awarded it to National Bus Sales Company (State Bid). Bid award was for \$63,041. Rural Transportation program will provide the additional funds of \$5,041 from state allocation rollover- No Impact on the General Fund).**

Cmr. Vasquez moved and Cmr. Gutierrez seconded the motion **(to approve item as submitted)**.

All voted in favor.

e. **WEBB COUNTY HEAD START**

- 1) **ACTION TO RATIFY THE CHILD CARE FOOD PROGRAM FOR FISCAL YEAR 2002-2003 IN THE AMOUNT OF \$844,446.80 (This application included funds to cover salaries and fringe benefits for 20 kitchen staff members to serve 1,150 children three meals per day).**

Cmr. Gutierrez moved and Cmr. Urdiales seconded the motion **(to approve item as submitted)**.

All voted in favor.

- 2) **ACTION TO CREATE AND FILL THE FOLLOWING SLOTS (Positions needed to maintain child /staff federal mandate ratio at Farias Head Start Center. Positions have been approved by the Federal Program Representative contingent upon commissioners court approval):**

Cmr. Gutierrez moved and Cmr. Vasquez seconded the motion **(to approve item as submitted)**. All voted in favor.

Slot# 1050 (teacher assistant) at an annual salary of \$13,250.00 effective September 24, 2002.

Two (2) (substitute teachers) at 15 hours a week at an annual salary of \$4,370 each.

One (1) (classroom aide) at an annual salary of \$11,652.00.

- 3) **ACTION TO APPROVE LINE-ITEM TRANSFER (to cover positions):**

FROM: ACCT# 903-4207

6001 (office supplies)	\$5,000
6502 (janitorial supplies)	5,000
6012 (rent)	5,000
5401 (center repairs)	5,000
6014 (equipment rental)	<u>392</u>
Total	\$20,392

TO: ACCT# 903-4208

(Payroll) \$20,392

Cmr. Vasquez moved and Cmr. Gutierrez seconded the motion **(to approve item as submitted)**. All voted in favor.

f.

PLANNING DEPARTMENT

ACTION TO ISSUE “CERTIFICATIONS REGARDING COMPLIANCE WITH PLAT REQUIREMENTS AND THE CONNECTION OF UTILITIES” TO AUTHORIZE UTILITY CONNECTIONS TO THE FOLLOWING PROPERTIES:

Cmr. Gutierrez moved and Cmr. Vasquez seconded the motion **(to approve item as submitted)**. All voted in favor.

Connection(s) qualifying under Section 232.029 (i)

**Tract 24, Ranchos Peñitas West Subdivision,
Unit Iii (electricity- one dwelling only)**

**Tract 31, Ranchos PEÑITAS West Subdivision,
Unit VIII (electricity- one dwelling only)**

**Tract 2, Las Pilas Subdivision (electricity- one
dwelling only)**

**Tract 56, La Presa Subdivision (electricity - one
dwelling only)**

g.

ECONOMIC DEVELOPMENT

- 1) **ACTION TO AUTHORIZE A RESOLUTION DESIGNATING THE FOLLOWING COUNTY OFFICIALS TO BE DESIGNATED AS AUTHORIZED SIGNATORIES FOR THE WEBB COUNTY TEXAS COMMUNITY DEVELOPMENT PROGRAM, TCDP # 721175 NEW COLONIA EDAP FUND:**

Judge Mercurio Martinez, Jr
Commissioner Jerry Vasquez, Pct. 1
Commissioner Judith Gutierrez, Pct. 2
Commissioner Felix Velasquez, Jr., Pct. 3

Cmr. Gutierrez moved and Cmr. Vasquez seconded the motion **(approve item as submitted)**. All voted in favor.

- 2) **ACTION ON THE ACCEPTANCE OF THE RECOMMENDATIONS FROM THE WEBB COUNTY HOUSING REHABILITATION SELECTION/SCORING COMMITTEE ON THE FOLLOWING ELIGIBLE APPLICANT/ HOMEOWNER TO RECEIVE ASSISTANCE UNDER THE HUD HOUSING COLONIA INITIATIVES (HCI) GRANT PROGRAM FOR HOUSING REHABILITATION:**

Mr. Roberto Zamora
1549 Centeno Lane
Rio Bravo, Texas 78046

Cmr. Gutierrez moved and Cmr. Vasquez seconded the motion **(to approve item as submitted)**. All voted in favor.

07.02-09-271. COURT TO DISCUSS AND ACT ON THE FOLLOWING FROM THE COUNTY JUDGE AND COMMISSIONERS:

- a. ACTION TO ADD THE FOLLOWING PROPOSED SLOTS IN DEPARTMENT 2502 FOR FISCAL YEAR 2002-2003 WEBB COUNTY BUDGET: ONE (1) DEPUTY CONSTABLE AT AN ANNUAL SALARY OF \$29,994 AND ONE (1) OFFICE CLERK AT AN ANNUAL SALARY OF \$17,992 EFFECTIVE OCTOBER 1, 2002.**

Cmr. Vasquez moved and Cmr. Velasquez seconded the motion to table items 7a and 7c. All voted in favor.

- b. ACTION TO ADJUST SALARIES IN DEPARTMENT 2502 WEBB COUNTY BUDGET FOR FISCAL YEAR 2002-2003. SLOT# 893 (Asst. Chief Adm.) AT AN ANNUAL SALARY OF \$39,790.00; SLOT# 1290 (captain) AT AN ANNUAL SALARY OF \$36,795.00 AND SLOT # 1983 (Deputy Constable/CPO) AT AN ANNUAL SALARY OF \$31,990.00 EFFECTIVE OCTOBER 1, 2002.**

Judge Martinez moved and Cmr. Urdiales seconded the motion to bring up the salaries of Deputy Constables.

Judge Martinez and Cmr. Urdiales voted in favor and Cmr. Vasquez, Velasquez and Gutierrez voted against. motion did not pass 3 to 2.

- c. **ACTION TO ADD THE FOLLOWING PROPOSED SLOT IN DEPARTMENT 2503 FOR FISCAL YEAR 2002-2003 WEBB COUNTY BUDGET: ONE (1) SECRETARY AT AN ANNUAL SALARY OF \$18,829 EFFECTIVE OCTOBER 1, 2002.**

Cmr. Vasquez moved and Cmr. Velasquez seconded the motion to table items 7a and 7c. All voted in favor.

- d. **ACTION TO ADJUST SALARIES IN DEPARTMENT 0101 FUND 008 FOR FISCAL YEAR 2002-2003 WEBB COUNTY BUDGET: SLOT# 640 (Records Mgt. Specialist) IN THE AMOUNT OF \$3,000 (plus fringe) AND SLOT# 1406 (Records Mgt. Specialist) IN THE AMOUNT OF \$3,000 (plus fringe).**

Cmr. Gutierrez moved and Cmr. Urdiales seconded the motion to bring back the item at the next meeting with the correct wording and fund balance. All voted in favor.

- e. **ACTION TO OFFICIALLY ASSIGN THE RESPONSIBILITIES FOR THE ANNUAL PREPARATION AND MAINTENANCE OF THE COUNTY'S CAPITAL IMPROVEMENT PLAN (CIP) TO THE COUNTY ENGINEER AND THE COUNTY PLANNING DIRECTOR WITH ADDITIONAL INSTRUCTION THAT THE CURRENT PLAN MUST BE SUBMITTED TO THE COMMISSIONERS COURT FOR REVIEW AND CONSIDERATION BEFORE THE END OF THE CALENDAR YEAR (Requested by Cmr. Felix Velasquez).**

Cmr. Velasquez moved and Cmr. Gutierrez seconded the motion to approve the Capital Improvement Plan and assign the responsibility to the Planning Department. All voted in favor.

f. ACTION TO SOLICIT REQUEST FOR PROPOSALS TO OBTAIN ARCHITECTURAL SERVICES FOR REHABILITATION OF OFFICE SPACE AT THE WEBB COUNTY JUSTICE CENTER.

Cmr. Gutierrez moved and Cmr. Urdiales seconded the motion **(to approve item as submitted)**. All voted in favor.

g. ACTION REGARDING TO THE SCHOOL RESOURCE OFFICER PROGRAM CONTRACT BETWEEN THE LAREDO INDEPENDENT SCHOOL DISTRICT (Executive Session pursuant to Title 5, Subchapter D, Section 551.071 of the Texas Government Code, Consultation with Attorney).

Judge will refer this item to Executive Session.

Judge calls for recess at this time.

Cmr. Gutierrez moved and Cmr. Urdiales seconded the motion to recess at 12:30 p.m. and reconvene at 2:00 p.m.

Cmr. Vasquez moved and Cmr. Urdiales seconded the motion to have Homero Ramirez, County Attorney, send a letter to L.I.S.D. The letter should ask the school district to comply with the terms of the contract as interpreted by the County. Non-compliance within 30 days will result in termination of the contract. All voted in favor.

At 2:25 p.m. Cmr. Gutierrez with great sorrow announced to the Court the passing of Mr. Oscar Mendieta of the Quad City Area. Mr. Mendieta will be greatly missed, a moment of silence was requested by Cmr. Gutierrez to honor Mr. Mendieta.

**08.02-09-272. COURT TO DISCUSS AND ACT ON THE FOLLOWING
FROM THE RISK MANAGEMENT
DEPARTMENT:**

- a. ACTION TO ESTABLISH THE CRITERIA AND
DESIGNATE THE FUNDING FOR THE RETIREE
HEALTH INSURANCE PROGRAM AND ANY MATTERS
INCIDENT THERETO (Deferred item).**

Juanita Puente, Risk Manager, addressed the Court to recommend tabling this item.

Cmr. Gutierrez moved and Cmr. Velasquez seconded the motion **(to approve item as submitted)**. All voted in favor.

- b. ACTION TO DETERMINE IF WEBB COUNTY WISHES
TO EXERCISE THE RIGHT TO BE EXEMPT FROM
SECTIONS OF THE HEALTH INSURANCE
PORTABILITY AND ACCOUNTABILITY ACT (HIPPA)
TO BECOME EFFECTIVE OCTOBER 1, 2002.**

Cmr. Gutierrez moved and Cmr. Vasquez seconded the motion (to approve item as submitted). All voted in favor.

- c. ACTION TO APPROVE THE RENEWAL OF THE
HEALTH INSURANCE PLAN FROM BLUE
CROSS/BLUE SHIELD OF TEXAS THROUGH TEXAS
ASSOCIATION OF COUNTIES TO BECOME
EFFECTIVE OCTOBER 1, 2002, AND
AUTHORIZATION FOR THE COUNTY JUDGE TO
EXECUTE ALL RELEVANT DOCUMENTS.**

Juanita Puente, Risk Manager, addressed the Court to acknowledge correction to contingency #2 of the Health Insurance Plan. An increase to employee contribution of \$5.00 was approved.

Also, contingency # 5 of the Health Insurance Plan should be deleted as per Judge Martinez.

Cmr. Gutierrez moved and Cmr. Urdiales seconded the motion **(to approve item with corrections)**. All voted in favor.

- d. **ACTION TO APPROVE THE RENEWAL OF THE EXCESS WORKER'S COMPENSATION INSURANCE FROM PALMER AND CAY OF TEXAS, INC., TO BECOME EFFECTIVE OCTOBER 1, 2002, AND AUTHORIZATION FOR THE COUNTY JUDGE TO EXECUTE ALL RELEVANT DOCUMENTS.**

Cmr. Gutierrez moved and Cmr. Urdiales seconded the motion **(to approve item as submitted)**. All voted in favor.

- e. **ACTION TO APPROVE THE RENEWAL OF ACTUARIAL AND RISK MANAGEMENT CONSULTING SERVICES FROM TRICOR MANAGEMENT, INC., IN THE AMOUNT OF \$15,800 FOR PERIOD BEGINNING OCTOBER 1, 2002 TO SEPTEMBER 30, 2003, AND AUTHORIZATION FOR THE COUNTY JUDGE TO EXECUTE ALL RELEVANT DOCUMENTS.**

Cmr. Gutierrez moved and Cmr. Urdiales seconded the motion **(to approve item as submitted)**. All voted in favor.

- f. **ACTION TO APPROVE THE RENEWAL OF THE ACCIDENTAL INSURANCE FOR WEBB COUNTY HEAD START PROGRAM FROM THE MASKIN GROUP IN THE AMOUNT OF \$5,523.00 (\$5.25 per child) TO BECOME EFFECTIVE OCTOBER 1, 2002, AND AUTHORIZATION FOR THE COUNTY JUDGE TO EXECUTE ALL RELEVANT DOCUMENTS.**

Cmr. Gutierrez moved and Cmr. Vasquez seconded the motion **(to approve item as submitted)**. All voted in favor.

- g. **ACTION REGARDING BODILY INJURY CLAIMS OF AMBRIOSO AND HERMINIA CHAPA FOR A MOTOR VEHICLE ACCIDENT WHICH OCCURRED ON OR ABOUT APRIL 10, 2001 WITH A COUNTY VEHICLE DRIVEN BY A CRTC EMPLOYEE (Executive Session is requested pursuant to Title 5, Subchapter D, Section 551.071 of the Texas Government Code Consultation with Attorney).**

Item temporarily deferred to executive session.

After Executive Session Cmr. Gutierrez moved and Cmr. Vasquez seconded the motion to let Risk Management handle it. All voted in favor.

- h. ACTION TO APPROVE THE EXTENSION OF THE CURRENT PROPERTY/CASUALTY/LIABILITY INSURANCE PACKAGE FROM McGRUFF, SEIBELS & WILLIAMS OF TEXAS, INC., FOR A PERIOD OF THIRTY DAYS, AND AUTHORIZATION FOR THE COUNTY JUDGE TO EXECUTE ALL RELEVANT DOCUMENTS.**

Comr. Gutierrez moved and Comr. Urdiales seconded the motion to defer item. All voted in favor.

- i. ACTION TO APPROVE LINE-ITEM TRANSFER:**

FROM: ACCT # 816-0105
9201 (claims Paid Medical) \$15,000

TO: ACCT# 816-0105
6038 (adm. fees) \$ 7,000
6060 (basic life ins.) 2,000
6701-01 (health fair month) 6,000
TOTAL \$15,000

Comr. Gutierrez moved and Comr. Velasquez seconded the motion **(to approve item as submitted)**. All voted in favor.

09.02-09-273. COURT TO DISCUSS AND ACT ON THE FOLLOWING FROM THE PURCHASING AGENT:

- a. ACTION TO PURCHASE EQUIPMENT FOR THE PLANNING DEPARTMENT FROM PC MALL/GOVERNMENT SOLUTIONS IN THE AMOUNT OF \$13,420 (Fund Account# 606-8001-7409).**

Cmr. Gutierrez moved and Cmr. Velasquez seconded the motion **(to approve item as submitted)**. All voted in favor.

- b. ACTION TO PURCHASE THE FOLLOWING EQUIPMENT FOR THE PLANNING DEPARTMENT (Fund account # 606-8001-7409):**

**1 Global Positioning System -Mercator Inc., \$15,000
1 GPS CE Handheld - Western Data Systems, Inc. \$6,000
1 Powis Printer- Powis \$2,495.00
1 Fastback Model 15xs- Powis \$4,195.00**

Cmr. Vasquez moved and Cmr. Gutierrez seconded the motion **(to approve item as submitted)**. All voted in favor.

- c. ACTION TO OBTAIN THE SERVICES OF ANDY'S MOBILITY LIFT SERVICES IN THE AMOUNT OF \$11,999.90 TO REMOVE AND INSTALL NEW HANDICAP LIFTS FOR UNIT #88 AND UNIT # 89 FOR THE COMMUNITY ACTION AGENCY TRANSPORTATION. (Andy's Mobility Lift is the only business locally that provides this service -Fund account # 980-4205-6403).**

Cmr. Vasquez moved and Cmr. Gutierrez seconded the motion **(to approve item as submitted)**. All voted in favor.

d. ACTION TO SOLICIT BIDS FOR FURNITURE FOR THE TITLE IV-CHILD SUPPORT COURTROOM.

Cmr. Vasquez moved and Cmr. Gutierrez seconded the motion **(to approve item as submitted)**. All voted in favor.

Henry Flores, County Clerk, addressed the Court to inform that the nine-member Salary Grievance Committee could not be certified. The County Clerk was instructed by the Judge to confer with the County Attorney.

10.02-09-274. COURT TO DISCUSS AND ACT ON THE FOLLOWING FROM THE COUNTY ATTORNEY:

a. ACTION TO PAY BEXAR COUNTY, \$8,365.00 FOR MENTAL HEALTH SERVICES PROCEEDINGS UNDER SECTION 571.018 OF THE TEXAS HEALTH AND SAFETY CODE AND ANY MATTERS INCIDENT THERETO.

Cmr. Gutierrez moved and Cmr. Vasquez seconded the motion to defer item. All voted in favor.

b. ACTION TO PAY BORDER REGION MENTAL HEALTH AND MENTAL RETARDATION COMMUNITY CENTER \$13,200.00 FOR PHYSICIAN EXAMINATION FEES PURSUANT TO TEXAS ATTORNEY GENERAL OPINION JC-0287 AN ANY MATTERS INCIDENT THERETO.

Cmr. Gutierrez moved and Cmr. Vasquez seconded the motion to defer item. All voted in favor.

- c. **ACTION TO ENTER INTO A CONSTRUCTION CONTRACT WITH NEIGHBORHOOD HOUSING SERVICES OF DIMMIT COUNTY, INC., IN THE AMOUNT OF \$275,500.00 FOR THE CONSTRUCTION OF A COMMUNITY PARK FOR PEÑITAS WEST AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE ALL RELEVANT DOCUMENTS (Requested by Economic Development).**

Cmr. Urdiales moved and Cmr. Vasquez seconded the motion to defer item. All voted in favor.

- d. **ACTION TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF LAREDO FOR PUBLIC HEALTH SERVICES, BEGINNING OCTOBER 1, 2002 THROUGH SEPTEMBER 20, 2003, IN THE AMOUNT OF \$133,000.00 AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE ALL RELEVANT DOCUMENTS (Requested by Cmr. Gutierrez).**

Cmr. Gutierrez moved and Cmr. Velasquez seconded the motion to defer item. All voted in favor.

- e. **ACTION TO ENTER INTO A CONTRACT WITH CJUS CONSULTANTS INTERNATIONAL INC., AND CLIFFORD M. BLACK, PHD., C.C.S. FOR THE COORDINATION OF WEBB COUNTY DRUG ELIMINATION STRATEGIES, FOR A PERIOD OF ONE YEAR, BEGINNING ON OCTOBER 1, 2002 THROUGH SEPTEMBER 30, 2003 AT AN ANNUAL COST OF \$45,000.00 AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE ALL RELEVANT DOCUMENTS (Requested by County Judge).**

Cmr. Vasquez moved and Cmr. Velasquez seconded the motion to table item. Cmr. Gutierrez and the Chairman voted against. motion passed 3 to 2.

- f. **ACTION TO ENTER INTO AN EQUIPMENT LEASE-PURCHASE AGREEMENT WITH CITICAPITAL FOR A THREE YEAR PERIOD BEGINNING ON OCTOBER 5, 2002 AND ENDING ON SEPTEMBER 5, 2005 FOR A TOTAL OF \$50,101.92 BEING THIRTY-SIX MONTHLY PAYMENTS OF \$1,391.72 FOR ONE 2002 NEW BRYCE MODEL BB 250B BROOM SWEEPER AND ONE 2002 NEW INGERSOLL-RAND MODEL DD28HF ROLLER FOR THE ROAD AND BRIDGE DEPARTMENT AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE ALL RELEVANT DOCUMENTS (Requested by Purchasing Department).**

Cmr. Gutierrez moved and Cmr. Velasquez seconded the motion **(to approve item as submitted)**. All voted in favor.

- g. **ACTION TO RATIFY AND APPROVE AN ADDITIONAL SIX MONTH EXTENSION TO AN AGREEMENT FOR PUBLIC RELATIONS SERVICES RELATED TO THE BRIDGE CONSTRUCTION PROJECT (Revised Letter of Agreement dated July 27, 2001 and Addendum A: Service Contract) WITH ALLYN AND COMPANY AT AN ADDITIONAL COST OF \$12,500.00 PER MONTH AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE ALL RELEVANT DOCUMENTS (Requested by the County Judge).**

Cmr. Urdiales moved and Cmr. Vasquez seconded the motion **(to approve item as submitted)** with Cmr. Velasquez voting against. Motion passes 4 to 1.

- h. **ACTION TO ENTER INTO A CUSTOMER AGREEMENT WITH IBM (Supplement for IBM Operational Support Services) IN THE ANNUAL AMOUNT OF \$11,751.48 BEGINNING OCTOBER 1, 2002 THROUGH SEPTEMBER 30, 2003 FOR TELEPHONE SOFTWARE SUPPORT SERVICES AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE ALL RELEVANT DOCUMENTS (Requested by the MIS Department-Funds available in Account# 001-0500-6402).**

Cmr. Gutierrez moved and Cmr. Urdiales seconded the **motion** (to approve item as submitted). All voted in favor.

- i. **ACTION TO APPROVE AND ENTER INTO THE ARTICLES OF AGREEMENT BETWEEN WEBB COUNTY AND THE WEBB COUNTY DEPUTY SHERIFF'S ASSOCIATION TO BE EFFECTIVE FOR A ONE YEAR PERIOD BEGINNING OCTOBER 1, 2002 THROUGH SEPTEMBER 30, 2003 AND PROVIDING FOR A 6% INCREASE IN THE DEPUTY SALARIES AND MUTUAL AGREEMENT TO RE-OPEN THE ARTICLES OF AGREEMENT FOR A THIRTY (30) DAY PERIOD COMMENCING ON MARCH 1, 2003 AND AUTHORIZING THE COUNTY JUDGE TO EXECUTE ALL RELEVANT DOCUMENTS (Executive Session is requested pursuant to Title 5, subchapter D, Section 551.071 of the Texas Government Code, Consultation with Attorney).**

Cmr. Vasquez moved and Cmr. Gutierrez seconded the motion **(to approve item as submitted)**. All voted in favor.

Homero Ramirez, County Attorney, recommends that items 10n and 10o be moved up.

Cmr. Gutierrez moved and Cmr. Urdiales seconded the motion **(to move up items 10n and 10o.)** All voted in favor.
(See page 26 & 27)

Cmr. Gutierrez moved and Cmr. Urdiales seconded the motion to take items 10j, k, l, m, n, and o into **Executive Session.**
All voted in favor.

Court went into Executive Session at 4:45 p.m.

Judge Martinez informed that no action was taken during **Executive Session.**

- j. **ACTION REGARDING CLAIM OF CORPLAN CORRECTIONS AND/or HALE MILLS CONSTRUCTION, INC., IN CONNECTION WITH RENOVATIONS AND IMPROVEMENTS TO THE WEBB COUNTY LAW ENFORCEMENT CENTER (Executive Session is requested pursuant to Title 5, Subchapter D, Section 551.071 of the Texas Government Code, Consultation with Attorney).**

Cmr. Gutierrez moved and Cmr. Vasquez seconded the motion to negotiate settlement. All voted in favor.

- k. **ACTION REGARDING CAUSE NO. 2002-CVQ-001149-D2; JORGE LUIS SANCHEZ v WEBB COUNTY; IN THE 111th JUDICIAL DISTRICT OF WEBB COUNTY, TEXAS (Executive Session is requested pursuant to Title 5, Subchapter D, Section 551.071 of the Texas Government Code, Consultation with Attorney).**

No action taken.

- l. ACTION REGARDING CHARGE OF DISCRIMINATION NO. 360A201552 FILED WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION BY JESUS J. PATIÑO, JR. (Executive Session is requested pursuant to Title 5, Subchapter D, Section 551.071 of the Texas Government Code, Consultation with Attorney).**

No action taken.

- m. ACTION REGARDING CHARGE OF DISCRIMINATION No. 360A201594 FILED WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION BY DANIEL LOMBRAÑA (Executive Session requested pursuant to Title 5, Subchapter D, Section 551.071 of the Texas government Code, Consultation with Attorney).**

Cmr. Vasquez moved and Cmr. Urdiales seconded the motion to consult Legal Council and address EOC.
All voted in favor.

- n. ACTION REGARDING RECOMMENDATION OF WEBB COUNTY GRIEVANCE COMMITTEE REGARDING GRIEVANCE FILED BY DANIEL LOMBRAÑA (Executive Session is requested pursuant to Title 5, Subchapter D, Section 551.071 of the Texas government code, Consultation with Attorney).**

Eloy Ramirez, Chairman for the Grievance Committee, informed the Court on its recommendation to reinstate Mr. Daniel Lombrana.

Cmr. Vasquez moved and Cmr. Urdiales seconded the motion to support Tomas Rodriguez and Jose Luis Rodriguez decision to terminate Mr. Daniel Lombrana.

Cmrs. Gutierrez feels that the Court should follow the Grievance Committee's recommendation. The purpose of the committee is to allow the employee a venue for their grievance and not following the recommendation is a great disservice to the employee.

Cmr. Vasquez called for the question and the motion carried 3 to 2, with Cmrs. Vasquez, Urdiales and Judge Martinez voting in favor and Cmrs. Gutierrez and Velasquez voting against.

- o. ACTION REGARDING RECOMMENDATION O WEBB COUNTY GRIEVANCE COMMITTEE REGARDING GRIEVANCE FILED BY FERNANDO GONZALEZ (Executive Session is requested pursuant to Title 5, subchapter D, Section 551.071 of the Texas Government Code, Consultation with Attorney).**

Eloy Ramirez, Chairman for the Grievance Committee, informed the Court that the termination of Fernando Gonzalez be upheld.

The Court informed that no action was taken during Executive Session and gave Mr. Gonzalez the opportunity to address the Court.

Fernando Gonzalez addressed the Court and asked for clarification on the Courts decision.

Judge Martinez recommended Mr. Gonzalez consider applying for another position he is qualified for, when one becomes available.

THE COMMISSIONERS COURT MAY MEET IN CLOSED SESSION PURSUANT TO TEXAS OPEN MEETINGS ACT §551.071 (consultation with attorney), 551.072 (deliberation regarding real property), §551.074 personnel matters) and §551.075 (consultation with employees), ON ALL MATTERS DEEMED NECESSARY BY THE COMMISSIONERS COURT.

PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED AUXILIARY AID OF SERVICE SUCH AS INTERPRETERS FOR PERSONS WHO ARE DEAF OR HEARING IMPAIRED, READERS, OR NEED LARGE PRINT ARE REQUESTED TO CONTACT THE COURT ADMINISTRATOR AT (956) 523-4620.

ADJOURNMENT

Motion to adjourn was made by Cmr. Gutierrez and seconded by Cmr. Vasquez.